

19900702

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, JULY 2, 1990  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:09 p.m. Mayor O'Connor adjourned the meeting at 4:15 p.m. into closed session at 9:30 a.m. on Tuesday, July 3, 1990, in the Twelfth floor conference room to discuss the possible acquisition of Famosa Slough.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-excused by R-276132  
(personal business)
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour (mp)

FILE LOCATION: MINUTES

Jul-2-1990

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present

- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-not present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

Jul-2-1990

ITEM-10: INVOCATION

Invocation was given by Rabbi Yonah Fradkin of the  
Chabad House Jewish Congregation.

FILE LOCATION: MINUTES

Jul-2-1990

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member  
Pratt.

FILE LOCATION: MINUTES

ITEM-30: (R-90-2206) ADOPTED AS RESOLUTION R-276039

Recognizing and commending Mercy Hospital for providing 100  
years of dedicated service and quality health care to the  
San Diego community; designating July 2 through 9, 1990 as  
"Mercy Hospital Centennial Week" in San Diego.  
(District-2.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A048-087.)

MOTION BY ROBERTS TO ADOPT. Second by Hartley. Passed by the  
following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,  
Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea,  
Filner-yea, Mayor O'Connor-yea.

ITEM-31: RECOGNIZED

Recognizing the efforts of the Committee to Support

Proposition D (Gann Waiver) on the June 5 ballot.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A088-147.)

Jul-2-1990

ITEM-32: NOTED AND FILED

Matter of the request of Science Applications International Corporation (SAIC) by Mac Strobl, for a hearing of an appeal from the decision of the Planning Commission in granting with conditions, Community Plan Implementation Overlay Zone Permit (CPIOZ)-89-1257 to construct a 44,000 square-foot two-story research and development and prototype manufacturing building. The subject property (a 4.04 acre site), is located at the north end of Campus Point Court, north of Genesee Avenue and east of I-5 freeway and is more particularly described as a portion of Parcel 4, Parcel Map PM-14918, in the SR (Scientific Research) Zone and within the University Community Plan area.

(CPIOZ-89-1257. District-1.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM - CPIOZ-89-1257

COUNCIL ACTION: (Tape location: A147-151.)

MOTION BY WOLFSHEIMER TO NOTE AND FILE BECAUSE THE APPEAL WAS WITHDRAWN BY THE APPELLANT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Jul-2-1990

ITEM-33: GRANTED REQUEST FOR HEARING

Matter of the request of Linda Staton, for a hearing of an appeal from the decision of the Planning Commission in granting Resource Protection Permit RPZ-89-0899 for the construction of 16 residential units (Bayridge East) totaling 26,036 square feet of gross floor area. The

subject property is 47,916 square feet in area. The site is located on the east side of Parrot Street between Ash and Beech Streets and is more particularly described as Lots 2-12 inclusive, Block 31, Marilou Park, Map-517, in the MR-3000 Zone and within the Mid-City Community Plan area.

(RPZ-89-0899. District-8.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM - RPZ-89-0899

COUNCIL ACTION: (Tape location: A152-174.)

MOTION BY FILNER TO GRANT THE HEARING BASED ON CITYWIDE SIGNIFICANCE. Second by Pratt. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-50: (O-90-178) ADOPTED AS ORDINANCE O-17477 (New Series)

Amending Chapter V, Article 6, of the San Diego Municipal Code by amending Section 56.54, relating to the Prohibition of Alcoholic Beverages in certain areas, to add La Jolla Shores and North Park Community Park to those prohibiting alcohol consumption or the possession of an open alcoholic

beverage container, except with a special permit, on a six-month trial basis only.

(Districts-1 and 3. Introduced on 6/18/90. Council voted 8-1. District 2 voted nay. Mayor not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A193-304.)

MOTION BY WOLFSHEIMER TO DISPENSE WITH THE READING AND ADOPT.

Second by Hartley. Passed by the following vote:

Wolfsheimer-yea, Roberts-nay, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-nay.

\* ITEM-51: (O-90-184) ADOPTED AS ORDINANCE O-17478 (New Series)

Incorporating various properties located in the Greater Golden Hill Community Plan Area, from GH-1500, GH-3000 and GH-3000/HR into R1-5000 and R1-5000/HR Zones.  
(Case-90-0537. Greater Golden Hill Community Area. Districts-4 and 8. Introduced on 6/19/90. Council voted 6-0. Districts 2, 6 and 7 not present.)

FILE LOCATION: LAND - Greater Golden Hill Community Plan

COUNCIL ACTION: (Tape location: A184-192.)

CONSENT MOTION BY PRATT TO DISPENSE WITH THE READING AND ADOPT.

Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,  
Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea,  
Mayor O'Connor-yea.

\* ITEM-52: (O-90-182) ADOPTED AS ORDINANCE O-17479 (New Series)

Incorporating Lot 1 of Paradise Gardens West, Unit No. 3, Map-10213, (approximately 3.22-acres), from Zone R1-5000 (HRO) to Zone R-3000. The subject property is located on the west side of Woodman Street, east of Parkland Way, south of Benjamin Holt Road and north of Paradise Valley Road.

(Case-89-0622. Skyline-Paradise Hills Community Area. District-4. Introduced on 6/19/90. Council voted 6-0. Districts 2, 6 and 7 not present.)

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A184-192.)

CONSENT MOTION BY PRATT TO DISPENSE WITH THE READING AND ADOPT.

Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,  
Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea,  
Mayor O'Connor-yea.

\* ITEM-53: (O-90-180) ADOPTED AS ORDINANCE O-17480 (New Series)

Second Amendment to Section 1 of Ordinance O-16037 (New Series), adopted September 12, 1983, incorporating a portion of Section 33, Township 14 South, Range 3 West,

S.B.B.M. (approximately 13 acres), located south of Calle Cristobal, north of Mira Mesa Boulevard, west of Camino Santa Fe and east of Interstate 805, into R1-5000/HRO Zone. (Case-88-0591. Mira Mesa Community Area. District-5. Introduced on 6/18/90. Council voted 7-0. District 4 and Mayor not present.)

FILE LOCATION:     ZONE ORD. NO.

COUNCIL ACTION:   (Tape location: A184-192.)

CONSENT MOTION BY PRATT TO DISPENSE WITH THE READING AND ADOPT.

Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,  
Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea,  
Mayor O'Connor-yea.

\* ITEM-54:   (O-90-174)   INTRODUCED, TO BE ADOPTED JULY 16, 1990

Introduction of an Ordinance amending Chapter IV, Article 4, Division 3, of the San Diego Municipal Code by amending Section 44.0305, relating to Wild Animals and Other Prohibited Species, by deleting the ambiguous word "dangerous" and allowing the keeping of some snakes in the City, and imposing additional requirements for the maintenance of large snakes.

(See City Manager Report CMR-90-175.)

COMMITTEE ACTION:   Reviewed by PSS on 4/18/90. Recommendation to approve the revised Ordinance. Districts 2, 3, 4, 5 and 7 voted yea.

FILE LOCATION:     - -

COUNCIL ACTION:   (Tape location: A306-323.)

CONSENT MOTION BY McCARTY TO INTRODUCE. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-100:   (R-90-2228)   ADOPTED AS RESOLUTION R-276040

Calling a public hearing to determine whether the public health, safety or general welfare requires the formation

of an Underground Utility District to be known and denominated as the Balboa Avenue (I-5 to Clairemont Drive) Underground Utility District.

(Clairemont Mesa Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: The proposed district will underground the overhead utility facilities on Balboa Avenue between I-5 and Clairemont Drive. This is a scheduled project in the calendar year 1991 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. Council Policy 800-2 provides for the use of San Diego Gas & Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

FILE LOCATION: STRT - K-194

COUNCIL ACTION: (Tape location: A324-348.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-101:

Two actions relative to the Downtown Landscape Maintenance District:

(Centre City Community Area. District-8.)

Subitem-A: (R-90-2221) ADOPTED AS RESOLUTION R-276041

Resolution of Intention to annex territory to the district and to levy and collect assessments.

Subitem-B: (R-90-2222) ADOPTED AS RESOLUTION R-276065

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual Downtown Landscape Maintenance District. The district provides landscaping and special area maintenance to Downtown Street Trees, "C" Street Mall, Horton Plaza Retail

Center, and provides litter removal in certain downtown areas. The Fiscal Year 1991 proposed maintenance costs for the total district are as follows:

Contractual Maintenance	\$116,950
Personnel	351,799
Utilities	9,000
Incidentals	181,618
Total Expenses	\$659,367
Reserve	42,173
Total	\$701,540
Less Carry-over & Interest	63,000
Assessed to District	\$638,540

The total assessed cost breaks down into the five zones as follows: the Downtown Street Tree Maintenance Zone this year amounts to \$146,405 compared to \$237,462 last year. This cost has decreased because the cost of litter removal, which amounts to \$300,802 this year, has been separated into its own zone.

There is a substantial increase of litter and debris removal necessary due to increasing numbers of people visiting and working downtown. The "C" Street Mall Zone has changed from \$111,925 to \$121,568, an increase of 8.6% and the Horton Retail Center Zone has changed from \$33,718 to \$34,420, an increase of 2%. Both increases are due to normal inflation. The Broadway East Zone, a new zone last year, has changed from \$38,183 to \$35,345, a decrease of 7% as last year's costs included new vehicular and equipment item start-up costs not needed this year.

FILE LOCATION: STRT - M-206

COUNCIL ACTION: (Tape location: A324-348.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-102:

Two actions relative to San Diego Street Lighting  
Maintenance District No. 1:

Subitem-A: (R-90-2213) ADOPTED AS RESOLUTION R-276042

Resolution of Intention to levy and collect assessments.

Subitem-B: (R-90-2214) ADOPTED AS RESOLUTION R-276043



Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessments for the San Diego Street Lighting Maintenance District No. 1. The district provides street light energy and maintenance for areas with lighting levels above the normal for City-wide "safety" lighting. As part of this action, it is proposed to annex Five Creeks Street Lighting Maintenance District as Area 69 to the district. It is also proposed to annex the following four areas to the existing San Diego Street Lighting Maintenance District No. 1: Lots 3 through 5 and Lot 7, Block 208., bounded by Union, Front, Cedar and Date Streets; Lots A through G and Lot L, Block 116, bounded by 2nd, 3rd, Island and "J" Streets; Lots D through I, Block 123, bounded by "J" and "K" Streets, 6th and 7th Avenues; and

Lots 10 through 12, Block 31, bounded by Date, Cedar, Columbia and India Streets. The Fiscal Year 1991 proposed maintenance costs for the district are as follows:

Electrical Energy	\$ 202,800
Maintenance - Operations	250,000
Maintenance - Major Repair & Paint	300,000
Centre City Maintenance Program	11,500
Incidentals & Miscellaneous	131,700
Total Expenses	\$ 896,000
Total Fund Balance	802,053
Total Balance & Expenses	\$1,698,053
Less Carry-over & Interest	1,194,518
Less City Contribution	303,535
Assessed to District	\$ 200,000

The amount assessed to the district for Fiscal Year 1991 is \$200,000, the same as in Fiscal Year 1990.

FILE LOCATION: STRT - M-211

COUNCIL ACTION: (Tape location: A324-348.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-103:

Two actions relative to the Balboa Avenue (Clairemont Drive to 2,700' east of Clairemont Drive) Underground Utility District:

(Clairemont Mesa Community Area. District-6.)  
Subitem-A: (R-90-2217) ADOPTED AS RESOLUTION R-276044

Designating August 1, 1990 as the date which all property in the Balboa Avenue (Clairemont Drive to 2,700' east of Clairemont Drive) Underground Utility District must be ready to receive underground service and September 1, 1990 as the date for the removal of all overhead utility facilities.

Subitem-B: (R-90-2218) ADOPTED AS RESOLUTION R-276045

Authorizing the City Auditor and Comptroller to open Fund No. 78050 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the Balboa Avenue (Clairemont Drive to 2,700' east of Clairemont Drive) Underground Utility District; authorizing the City Treasurer to receive these funds from the San Diego Gas and Electric Company; authorizing reimbursement to all property owners in the Balboa Avenue (Clairemont Drive to 2,700' east of Clairemont Drive) Underground Utility District for electrical service underground conversion work done on private property whenever the required length of trenching exceeds 15 feet; authorizing the City Auditor and Comptroller to return to San Diego Gas and Electric Company any undisbursed funds upon written notice from SDG&E that all electric service conversions within a particular district have been completed.

CITY MANAGER SUPPORTING INFORMATION: The Balboa Avenue (Clairemont Dr. to 2,700' east of Clairemont Drive) Underground Utility District was created by the City Council on March 13, 1990. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set August 1, 1990 as the Customer Ready Date, which will require that, upon this date, all affected customers within the underground utility district must have their services prepared to receive service from the new underground system. This action will also establish September 1, 1990 as the Pole Removal Date, which will require that, upon this date, all overhead facilities within the underground utility must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209

funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench. The property owner remains responsible for all remaining conversion costs.

FILE LOCATION: STRT - K-191

COUNCIL ACTION: (Tape location: A324-348.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-104: (R-90-1977) ADOPTED AS RESOLUTION R-276046

Authorizing the City Manager to enter into exclusive negotiations with the adjacent owner, James E. Britt, for the sale of Site 841, a portion of Lot 62, College Gardens Unit No. 2, Map-4498, located near the intersection of Montezuma Road and Yerba Anita Drive.

(See City Manager Report CMR-90-254. State University Community Area. District-7.)

COMMITTEE ACTION: Reviewed by PFR on 6/13/90.

Recommendation to approve the City Manager's recommendation to authorize the negotiations. Districts 3, 6, 7 and 8 voted yea. District 1 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A324-348.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-105: (R-90-2247) ADOPTED AS RESOLUTION R-276047

Excusing Councilmember Abbe Wolfsheimer from attending the Special Council meeting on Thursday, June 21, 1990, to attend the California League of Cities - Environmental Quality Policy Committee meeting in Los Angeles.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A324-348.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-106: (R-90-2246) ADOPTED AS RESOLUTION R-276048

Excusing Councilmember Abbe Wolfsheimer from attending the regularly scheduled Council meeting on Monday, June 11, 1990, due to illness.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A324-348.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-107: (R-90-1984) ADOPTED AS RESOLUTION R-276049

Approving the recommendations of the Penasquitos Park Allocation Committee for the funding of parks in the Penasquitos area through the City's development agreement with American Newland Associates; directing the City Manager to implement the projects recommended by the Penasquitos Park Allocation Committee; expressing gratitude to the Penasquitos Park Allocation Committee members for their time and effort in service to the community.  
(See City Manager Report CMR-90-266. Penasquitos East Community Area. District-1.)

COMMITTEE ACTION: Reviewed by PFR on 6/13/90. Recommendation to approve the City Manager's recommendation to approve the recommendations of the Committee. Districts 3, 6, 7 and 8 voted yea. District 1 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A324-348.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-108: (R-90-1855) ADOPTED AS RESOLUTION R-276050

Authorizing and empowering the City Auditor and Comptroller to establish a trust fund to be entitled "Park and Recreation Department Friends of the Park Matching Fund Account" for the purposes set forth in City Manager Report CMR-90-237; authorizing the expenditure of funds from the Friends of the Park matching fund account as additional financing for non-personnel expenses in City parks for programs pursuant to the City Manager's Report. (See City Manager Report CMR-90-237. Balboa Park Community Area. District-8.)

COMMITTEE ACTION: Reviewed by PFR on 6/13/90. Recommendation to approve the City Manager's recommendation to establish the account. Districts 3, 6, 7 and 8 voted yea. District 1 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A324-348.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-109: (R-90-2202) ADOPTED AS RESOLUTION R-276051

Authorizing the execution of Amendment No. 1 to the agreement of October 8, 1984 with Black & Veatch, Engineers - Architects, for professional services in connection with the San Pasqual Aquatic Treatment Facilities, together with any reasonably necessary modifications or further amendments which do not increase the project's scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of the project and agreement; authorizing the City Auditor and Comptroller to transfer within the Sewer Revenue Fund (41506) the amount of \$211,755 from CIP-46-111.0, Rose Canyon Trunk Sewer, and the amount of \$132,000 from CIP-46-152.0, Sewer Pump Station 77 - Emergency Holding Pond, to CIP-46-151.0, San Pasqual Water Reclamation Facility; and to transfer

within the Water Revenue Fund (41502), the amount of \$211,755 from CIP-73-248.0, Pomerado Pipeline, to CIP-73-290.0, San Pasqual Water Reclamation Facility; authorizing the expenditure of an amount not to exceed

\$555,510, consisting of \$343,755 from the Sewer Revenue Fund (41506), CIP-46-151.0, San Pasqual Water Reclamation Facility, and \$211,755 from the Water Revenue Fund (41502), CIP-73-290.0, San Pasqual Water Reclamation Facility, for the purpose of providing funds for the above amendment.

(San Pasqual Valley Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On October 8, 1984, the City of San Diego entered into an agreement (RR-261697) with Black & Veatch, Engineers-Architects, for engineering services for the San Diego Total Resource Recovery (Aquaculture) Program. When Council conceptually approved relocation of the Total Resource Recovery Program (Aquaculture Plant) to the San Pasqual Valley it directed the City Manager to negotiate this amendment No. 1 for the design of the additional facilities required for a water reclamation plant, and modifications at Sewer Pump Station 77. This amendment provides for the additional engineering services. During negotiations of this amendment, staff reviewed the possibility of including CIP-46-152.0, Sewer Pump Station 77 - Emergency Holding Pond and Headworks Requirements, in the water reclamation project. This appears to be favorable since the inclusion of the headworks project will save \$248,000 in construction and engineering costs and will allow everything at the pump station to be constructed at one time decreasing construction impacts to the neighboring Rancho Bernardo Community Park. This amendment also includes funding for this design.

Aud. Cert. 9001045.

FILE LOCATION: MEET CCONFY91-1

COUNCIL ACTION: (Tape location: A324-348.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-110: (R-90-2225) ADOPTED AS RESOLUTION R-276052

Authorizing the execution of a second amendment to an agreement with the County of San Diego, to provide animal

regulation services, together with any reasonably necessary modifications or amendments which do not increase the

project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of this agreement; authorizing the expenditure of an amount not to exceed \$1,607,366 from the General Fund, Nondepartmental Expenditures (Program 60101) for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: In FY 1989 the City entered into an agreement with the County under which the County recovers full costs for the provision of general animal control services. Amendment Number Two to the Agreement for Control Services extends the effective period of the agreement through June 30, 1991. The terms of the agreement remain the same with the following exceptions: an added requirement for a quarterly Licensing Services report including cost, revenue and trend analysis; a requirement for advance noticing of changes in license or service fees; a requirement for twice yearly informational meeting for representatives from all interested contracting jurisdictions. The estimated cost for general animal control services for FY 1991 is \$1,557,366. This reflects the County's projection for services plus a 10% contingency as required under Section 23008 of the Government Code. In addition, since 1977 the City has had a supplemental contract with the County for enforcement of various animal regulation ordinances on beaches and parks. Due to fiscal constraints, funding has been reduced to \$50,000 from the County's full service estimate of \$241,500. However, the County has indicated that it would not be possible to provide this service at a reduced level. Should the City desire, however, the \$50,000 currently budgeted for this supplemental contract could be applied toward general animal control services. Aud. Cert. 9100021.

FILE LOCATION: MEET CONTFY91-1

COUNCIL ACTION: (Tape location: A324-348.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-111: (R-90-1997) ADOPTED AS RESOLUTION R-276053

Authorizing the execution of an agreement between the City of San Diego and the San Diego Unified School District to provide police officers for the DARE program.

CITY MANAGER SUPPORTING INFORMATION: This agreement will permit the San Diego Police Department's Drug Abuse Resistance Education (D.A.R.E.) Program to accept \$200,000 from the San Diego Unified School District in payment for providing the D.A.R.E. curriculum to 109 elementary schools throughout the District. D.A.R.E. contact is provided to all elementary grades, with the intensive core curriculum given at the fifth and sixth grade levels.

FILE LOCATION: MEET CONTFY91-1

COUNCIL ACTION: (Tape location: A324-348.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-112: (R-90-2200) ADOPTED AS RESOLUTION R-276054

Authorizing the execution of a cooperative agreement with the State of California for joint participation in a state highway improvement project to modify the existing diamond interchange and construct auxiliary lanes on Interstate Route-5 at Genesee Avenue; authorizing the expenditure of an amount not to exceed \$230,000 from CIP-52-372.0, Genesee Avenue - Widen I-5 Crossing, Fund No. 79001, for the purpose of providing funds for the above project.  
(University Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: This project is included in the Council approved Public Facilities Financing Plan and the Facilities Benefit Assessment for North University City and FY 1990 Capital Improvement Program. The project consists of modifying the existing diamond interchange and constructing auxiliary lanes on I-5 at Genesee Avenue. This agreement between the City of San Diego and the State of California identifies areas of responsibilities and financial obligation. The City of San Diego will be responsible for preparation of the Project Report (PR) and environmental documents (ED).

The State of California would provide prompt review and approval, as appropriate, of submittals by the City, and cooperate in a timely processing of the project. The design and



construction of the project would be the subject of a separate future agreement. This project will be 100 percent funded by Facilities Benefit Assessment. This agreement provides for \$230,000 to be deposited with the State for specific costs incurred during the development of the project. The State will return the \$230,000 if a construction contract is awarded within five years, plus any agreed upon extension.  
Aud. Cert. 9001026.

FILE LOCATION: MEET CONFY91-1

COUNCIL ACTION: (Tape location: A324-348.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-113: (R-90-2172) ADOPTED AS RESOLUTION R-276055

Authorizing the City Manager to accept from the Bureau of Justice Assistance a Grant Renewal Award to be funded through the Anti-Drug Abuse Act of 1986 and to execute the Grant Award for anti-drug abuse purposes, including any extensions or amendments awarded to the City.

CITY MANAGER SUPPORTING INFORMATION: The Police Department has applied to the Bureau of Justice Assistance for a \$290,471 award to renew the successful year-old Financial Investigations (FINVEST) Program Grant. Program goals are to develop a coordinated, multi-jurisdiction operational approach to the investigation and prosecution of narcotics related financial crime, including asset recovery; to train investigators and prosecutors in the techniques developed; and, using these techniques, to increase the number and efficiency of narcotic related financial investigations, prosecutions, and asset seizures. This program has been implemented through the established multi-jurisdictional San Diego Integrated Narcotics Task Force. The grant funds two Investigators, a Police Sergeant, a computer system, workstations, training and travel. These additional resources permit much more in-depth investigation of suspected drug proceeds than ever before

possible. The grant renewal also requests a Deputy District Attorney to work with the team. There is no requirement for the City to provide matching funds. All grant personnel, activity and equipment will be paid for with grant funds. Seized asset

monies are applied to the grant program as needed.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A324-348.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-114:

Five actions relative to the final subdivision map of Siempre Viva Business Park, a 32-lot subdivision located southeasterly of Siempre Viva Road and La Media Road: (Otay Mesa Community Area. District-8.)

Subitem-A: (R-90-2208) ADOPTED AS RESOLUTION R-276056

Authorizing the execution of a Subdivision Improvement Agreement for completion of certain public improvements with Robert Egger, Jr., trustee under declaration of trust dated March 9, 1981; Mary Emma Odermatt and Paul Joseph Odermatt, trustee of trust dated November 22, 1976, as amended as the separate estate of Mary E. Odermatt; and Walter T. Egger and Marianne Egger, trustees of declaration of trust dated November 15, 1976, as amended, as the separate estate of Walter T. Egger, as tenants in common each as to an undivided one-third interest.

Subitem-B: (R-90-2207) ADOPTED AS RESOLUTION R-276057

Approving the final map.

Subitem-C: (R-90-2209) ADOPTED AS RESOLUTION R-276058

Approving the acceptance by the City Manager of a grant deed of Robert Egger, Jr., Mary Emma Odermatt, Paul Joseph Odermatt, Walter T. Egger and Marianne Egger, granting to the City Lot A of Siempre Viva Business Park.

Subitem-D: (R-90-2210) ADOPTED AS RESOLUTION R-276059

Authorizing the execution of an agreement for construction of a traffic signal system at Siempre Viva Road and La

Media Road with Robert Egger, Jr., trustee under declaration of trust dated March 9, 1981, Mary Emma Odermatt and Paul Joseph Odermatt, trustee of trust dated November 22, 1976, as amended, as the separate estate of Mary E. Odermatt, and Walter T. Egger and Marianne Egger, trustees of declaration of trust dated November 15, 1976, as amended, as the separate estate of Walter T. Egger, as tenants in common each as to an undivided one-third interest.

Subitem-E: (R-90-2211) ADOPTED AS RESOLUTION R-276060

Authorizing the execution of an agreement for payment to provide for public facilities with Robert Egger, Jr., trustee under declaration of trust dated March 9, 1981, Mary Emma Odermatt and Paul Joseph Odermatt, trustee of trust dated November 22, 1976, as amended, as the separate estate of Mary E. Odermatt, and Walter T. Egger and Marianne Egger, trustees of declaration of trust dated November 15, 1976, as amended, as the separate estate of Walter T. Egger.

CITY MANAGER SUPPORTING INFORMATION: In addition to the standard Subdivision Improvement Agreement, subdividers are entering into two additional agreements. The first is one whereby they agree to construct a traffic signal system at the intersection of Siempre Viva Road and La Media Road within 5 years or at the request of the City Engineer, whichever occurs first. A bond in the amount of \$113,850 has been posted to assure the work. This agreement satisfies Condition No. 9-A of Tentative Map Resolution No. 5238. The second agreement is one to satisfy Conditions 14 & 17 of T.M. Resolution No. 5238, and provides for the financing of public facilities.

FILE LOCATION: Subitem-A,B,D,E: SUBD - Siempre Viva Business Park; Subitem-C: DEED F-5302  
CONTFY91-3 DEEDFY91-1

COUNCIL ACTION: (Tape location: A324-348.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-150: (R-90-2134) ADOPTED AS RESOLUTION R-276061

Approving and implementing the recommendations contained in City Manager Report CMR-90-264 regarding benches, landscaping and historical plaques in Horton Plaza Park. (See City Manager Report CMR-90-264. Centre City Community Area. District-8.)

COMMITTEE ACTION: Reviewed by PFR on 6/13/90.  
Recommendation to forward to the City Council without a recommendation. Districts 6, 7, and 8 voted yea. Districts 1 and 3 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A350-C281.)

MOTION BY FILNER TO ADOPT THE CITY MANAGER'S RECOMMENDATIONS AND

TO (1) DIRECT STAFF TO PROVIDE THE PF&R COMMITTEE WITH A VERBAL PROGRESS REPORT SIX MONTHS AFTER IMPLEMENTATION OF THE CITY MANAGER'S RECOMMENDATIONS, AND (2) REFER TO THE PS&S COMMITTEE FOR DISCUSSION THE ISSUE OF PREPARING ORDINANCES TO PREVENT PEOPLE FROM CONGREGATING IN THE HORTON PLAZA PARK AND THE COMMENTS OF THE POLICE OFFICERS PRESENT AT THE COUNCIL MEETING.

Second by Roberts. Passed by the following vote:

Wolfsheimer-nay, Roberts-yea, Hartley-yea, Pratt-yea,  
Bernhardt-not present, Henderson-yea, McCarty-nay, Filner-yea,  
Mayor O'Connor-nay.

ITEM-S400: (O-90-171) ADOPTED AS ORDINANCE O-17481 (New Series)

(Returned to the City Manager from the meeting of May 21, 1990, Item 51, to be redocketed with the MOU.)

Adoption of an Ordinance amending Chapter X, Article 3, Division 6, of the San Diego Municipal Code by amending Section 103.0602, relating to the North City West Planned District, in connection with State Route 56 and Carmel Valley Restoration and Enhancement Project.

(District-1. Introduced on 5/8/90. Council voted 6-3. Districts 3, 5, and Mayor voted nay.)

NOTE: See Item S401 on today's docket for a companion item.

FILE LOCATION: LAND - North City West Planned District

COUNCIL ACTION: (Tape location: C286-618.)

MOTION BY WOLFSHEIMER TO ADOPT ITEM-S400 AND ITEM-S401. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-nay, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-nay.

ITEM-S401: (R-90-2251) ADOPTED AS RESOLUTION R-276062

Authorizing the execution of a Memorandum of Understanding for State Route 56 West and the Carmel Valley Restoration and Enhancement Project (CVREP).

(North City West Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On May 8, 1990, the City Council requested a Memorandum of Understanding (MOU) for SR-56 West and CVREP. The MOU is to identify the participation of CalTrans in the City's effort to provide an enhancement program through the establishment of a \$2 million trust fund for the purpose of acquiring and/or restoring wetlands property within the Carmel River Valley or within the San Dieguito River Valley Regional Park. CalTrans also agrees to undertake additional design studies for I-5/SR-56 interchange and participate in the evaluation of light-rail along the SR-56 corridor. CalTrans provided the MOU based on their understanding of the request by City Council at the May 8th Council hearing. The MOU must be approved by the City and CalTrans prior to submittal and scheduled hearing before the Coastal Commission now planned for the second week of July, 1990 (July 10-13).

NOTE: See Item S400 for a companion item.

FILE LOCATION: LAND - North City West Planned District

COUNCIL ACTION: (Tape location: C286-618.)

MOTION BY WOLFSHEIMER TO ADOPT ITEM-S400 AND ITEM-S401. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-nay, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-nay.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor  
O'Connor at 4:15 p.m.